GOVERNMENT OF ANDHRAPRADESH
A B S T R A C T

Public Services- Dept., for Women, Children, Disabled & Sr. Citizens – **Sri J.Balraj, DR & T Assistant (Retd)** – Disciplinary proceedings initiated on the charges of irregularities in securing grant-in-aid to Cripples Paradise, Kankipadu, Krishna District, a NGO from Govt. of India - imposing a penalty of 10% cut in admissible pension for (10) years – under Rule 9 of APRP Rules, 1980 – Orders – Issued

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DEPT., FOR WOMEN, CHILDREN, DISABLED & SENIOR CITIZENS
(PROG.II)

G.O.RT.No. 142 Dt: 23.07.2015

Read the following:-

01. From the Inspector of Police, CBI., SPE, Visakhapatnam No.DPVIS/2000/01794/RC/19(A)/99/CBI/VSP, Dt:21.03.2000
02. From Dy.Inspr.Genl of Police CBI/ HR/Hyd, No.DPDH2001RCVIS99A00192938, Dt:03.07.2001
03. U.O.Note.No.1998/Prog.II/2000, Dept. for WCD&SC, dt.23.08.2001.
04. Govt.Memo.No.1998/DW.A2/2000, WD, CW & DW Department, Dt:24.12.2001
05. From Sri J.Balraj, the then Despatch Clerk, WD,CW & DW Department, Articles of Charge explanation, Dt:17.01.2002.
06. G.O.Rt..No.182, WD,CW&DW Dept. dt.05.05.2003
07. G.O.Rt..No.71, WD,CW&DW Dept. dt.02.03.2005
08. G.O.Rt..No.37, WD,CW&DW Dept. dt.12.08.2011
09. From Sri Lingaraj Panigrahi, IAS., Commr. of Inquiries,D.O.Lr.No.208/CIL-LP/2011, dt.28.06.2012.
10. Govt.Memo.No.1998/Prog.II/A1/2000, Dt:20.08.2014
11. From Sri J.Balraj, the then Despatch Clerk, WD,CW & DW Department, explanation to show Cause notice, Dt:04.09.2014.
12. Govt.Letter.No.1998/Prog.II/A1/2000, Dt:14.10.2014
13. From the Secretary (FAC), APPSC, Letter.No.1362/RT/2/2014, Dt:24.04.2015

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ORDER:-

In the reference 1st read above, the Inspector of Police, CBI, SPE, Visakhapatnam, has informed that a case as mentioned in the reference was registered U/s 120-B, 420 & 403 IPC and 13(2) r/w, 13(1) (d) of PC Act, 1988 against V.Gayatri Naga Kumari, Secretary, Cripples Paradise, Kankipadu & Unknown Govt Officials and requested for concerned original documents required.

2. In the reference 2nd read above, Dy.Inspr.Genl of Police CBI/ HR/Hyd forwarding a set of report of the Superintendent of Police, CBI, Visakhapatnam, which gives the facts of the above case, the allegation and the result of the investigation. The report shows that there is sufficient evidence for initiating action as RDA (Regular Departmental Action) for Minor penalty against Sri J.Bala Raj, Despatch Clerk, Women Development and Child Welfare Department, Govt of AP and Statement of imputations and list of witnesses and documents against Sri J.Bala Raj, Despatch Clerk (A-12) for minor penalty has been sent herewith and recommended to conduct Departmental enquiry for Minor penalty.

3. Based on the recommendation of Dy.Inspector General of Police, CBI, Hyd, Govt vide reference 4th read above, articles of Charges has been framed against Sri J.Balraj, DR & T Asst, to submit his written statement of defense:-

(P.T.O)

Sri J.Balraj, while working as Dispatch Clerk, Women Development, Child Welfare & Disabled Welfare Department, Secretariat, Hyderabad, V.G.N. Kumari, Secretary, Cripples Paradise, Kankipadu connive with Sri J.Balraj, Receipt/Dispatch Clerk of the WD&CW Detp., Secretariat, Andhra Pradesh, Hyderabad. Sri J.Balraj, dishonestly and fraudulently had handed over the original forwarding letter No.1804, dt.17.03.1997 and State Government recommendation (Part-II) duly signed by Smt. Usha Chandra Sekhar, the then Joint Secretary, having the recommendation of Rs.4.59lakhs, and the Inspection Report of the Deputy Director, to V.G.N.Kumari even though he has shown it dispatched to the Ministry vide the dispatch register page dt.17.03.1997. Sri J.Balraj, Dispatch Clerk had received illegal gratification from Smt. V.Gayatri Naga Kumar, Secretary, Cripples Paradise, Kankipadu had forged the signature of Smt. Usha Chandra Sekhar, the then Joint Secretary to WD&CW Dept. and submitted the State Government's forwarding letter NO.1804, dated:17.03.1997 along with forged State Government recommendation (Part-II) and fabricated inspection report with recommendation for Rs.7.75 lakhs and submitted the same in the Ministry of Welfare , Sastry Bhavan, New Delhi and thereby obtained excess grant-in-aid. This was possible due to the handing over of original forwarding letter of the State Government and its enclosures by Sri J.Bala Raju, Dispatch Clerk, WD&CW Dept.

4. In the reference 5th read above, the Charged Officer has submitted his written statement of defense denying the charges and requested the Disciplinary authority to drop charges against him. After examining the statement of defense it has been decided to entrust the case to Commissioner of Inquiries for detailed Inquiry.

5. In the reference 6th read above, in exercise of powers conferred by sub-rule (2) of Rule – 20 of the A.P.C.S (C.C& A) Rules, the disciplinary authority have appointed Sri D. Ramaiah, I.A.S., retired, Member, Commissioner of Inquiries, as the Inquiry Authority to inquire into the charges framed againt Sri J.Balaraj and other accused Officers.

6. In the reference 7th read above, on expiry of the term of Sri D.Ramaiah, I.A.S., (Retired) who was appointed as Inquiry Authority in the G.O. 6th read above, the disciplinary authority has further appointed Dr.Prasanta Mahapatra, I.A.S., Member, Commissioner of Inquiries, as the Inquiry Authority to inquire into the charges framed against the accused officers.

7. In the reference 8th read above, Subsequently, on expiry of the term of Sri Dr.Prasanta Mahapatra, I.A.S., (Retd) who was appointed as Inquiry Authority in the G.O. 7th read above, the disciplinary authority have appointed Sri Lingaraj Panigrahi, I.A.S., Member, Commissioner of Inquiries, as the Inquiry Authority to inquire into the charges framed against the accused officers.

8. In the reference 9th read above, the Commissioner of Inquiries, has submitted Inquiry Report, concluding that all the charges framed against Sri J.Balraj, DR&T Asst. (Retd) are held proved.

9. After Careful examination of the matter, taking into consideration of the gravity of the charges, which are held proved with reference to the Inquiry report, Government have provisionally decided to impose a penalty of 10% cut in admissible pension for (10) years against Sri J.Balraj, DR&T Asst. (Retd), under Rule 9 of AP Revised Pension Rules, 1980.

10. The Government vide reference 10th read above, have issued a notice to the Charged Officer, to show cause as to why the said punishment shall not be imposed on him within a period of fifteen (15) days, failing which it will be construed that he has no explanation to offer and ex-parte decision will be taken.

(Contd….3)

11. In the reference 11th read above, the Charged Officer has prayed to clear the case as early as possible, so that his pensionery benefits will be cleared since he has retired on 30.04.2010 on attaining the age of superannuation. And requested to do justice to him as deemed fit at the earliest. As seen from the reply of the Charged Officer, he has not put forth any new grounds for considering his case and therefore, it has been decided to confirm the proposed punishment of 10% cut in admissible pension for ten (10) years against the Charged Officer.

12. In response to the Government proposal in the reference 12th read above, the Secretary (FAC), A.P.P.S.C., vide her letter 13th read above, has informed the that the 'Commission' has agreed with the proposal of the Government to impose the punishment of a penalty of 10% cut in pension for ten (10) years against the charged officer.

13. The Government after careful examination of the matter, hereby ordered to impose the penalty of withholding of 10% cut in pension for ten (10) years against the charged officer i.e., Sri J.Balraj, DR & T Assistant (Retd), under Rule – 9 of A.P.Revised Pension Rules, 1980.

14. This order issues with the concurrence of A.P.P.S.C vide their letter 13th read above.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr.(Smt). POONAM MALAKONDAIAH,
PRINCIPAL SECRETARY TO GOVERNMENT (FAC).

To:

Sri J.Balraj, DR&T Asst. (Retd),(through General Administration Department)

General Administration (IOC) Department

The Accountant General, A.P., Hyderabad.

The Director of Treasuries and Accounts, A.P., Hyderabad.

S/c

// FORWARDED:: BY ORDER//

SECTION OFFICER